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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-------------------------------|---|---------------------------|
| Applicants: |) | |
| |) | |
| TIE LAN, ET AL. |) | Title: |
| |) | INTERCALATES AND |
| Serial No: 09/870,239 |) | EXFOLIATES THEREOF HAVING |
| |) | AN IMPROVED LEVEL OF |
| Filed: May 30, 2001 |) | EXTRACTABLE MATERIAL |
| |) | |
| Atty. Docket No.: 28682/71114 |) | |

TRANSMITTAL OF EXECUTED DECLARATION

***Commissioner for Patents
Washington, D.C. 20231***

Attention: BOX MISSING PART

Sir:

Submitted herewith is an executed Declaration for filing in the above-identified application, in response to the Notice to File Missing Parts issued by the Patent and Trademark Office on August 3, 2001.

CERTIFICATE OF MAILING (37 CFR 1.8)

I hereby certify that this paper and the documents referred to as enclosed therewith are being deposited with the United States Postal Service as first class mail, postage prepaid, on **September 26, 2001** in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231.


Richard H. Anderson

Also enclosed is a copy of the Notice together with our check in the amount of \$130.00 in payment of the fee.

The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 13-2855. A copy of this request is enclosed.

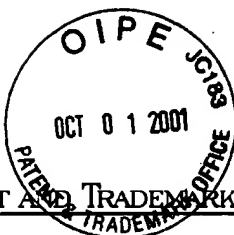
Please refund any overpayment to Marshall, Gerstein & Borun at the address below.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN
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By: Richard H. Anderson
Richard H. Anderson
Reg. No: 26.526

September 26, 2001



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/870,239 | 05/30/2001 | Tie Lan | 28682/71114 |

CONFIRMATION NO. 8818

04743
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FORMALITIES LETTER



OC00000006379630

Date Mailed: 08/03/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

[Signature]

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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